HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

and

HON'BLE SHRI JUSTICE G.BHAVANI PRASAD

W.P.NO.10671 OF 2005

-

Between:

Y.R.V.Prasada Rao and 4 others.

..... Petitioner

AND

Government of Andhra Pradesh,

Health, Medical and Family Welfare (F1) Department,

Represented by its Principal Secretary,

Secretariat,

Hyderabad and 3 others.

.....Respondents

::JUDGMENT::

Counsel for the Petitioner : Sri T.Rajendra Prasad

Counsel for Respondent Nos 1 to 3 : Government Pleader for Medical, Health and Family Welfare

Counsel for Respondent No. 4 : Sri N.Subba Rao

Counsel for Respondents 5 to 10 : Sri C.V.Nagarjuna Reddy

Dated 24/3/2006

Per Sri G.S.Singhvi, CJ

This is a petition for quashing G.O.Rt.No.375, Health, Medical and Family Welfare (F1) Department dated 4.4.2005 vide which the Primary Health Centre was sought to be transferred from Yarlagadda village, Challapalli Mandal to Puritigadda.

We have heard learned counsel for the parties and perused the record.

In the morning session of the Court proceedings, we suggested the learned Government Pleader for Medical, Health and Family Welfare to consult the departmental authorities on the issue of an overall review of the issue relating to establishment and opening of Primary Health Centre at Yarlagadda or Puritigadda.

After seeking instructions from the Secretary and Director of Health, learned

Government Pleader made a statement that the concerned authorities will examine the entire issue afresh and take appropriate decision within a period of two months in the matter of establishment and opening of Primary Health Centre keeping in view larger public interest.

Learned counsel for the petitioners, respondent No.4 and interveners say that they are satisfied with the statement of the learned Government Pleader.

In view of the above, the writ petition is disposed of as infructuous. However, liberty is given to the parties and/or interveners, to avail appropriate legal remedy, if any one of them feel aggrieved by the fresh decision which the State Government will take hereinafter. By way of abundant caution, we direct that till the passing of fresh orders, the arrangements made by the official respondents in furtherance of order dated 6.3.2006 for running a Primary Health Centre at Yarlagadda and Puritigadda shall continue.

G.S.SINGHVI, CJ

Dt.24/3/2006

G.BHAVANI PRASAD,J

msv/ARS